

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
**Katherine Cue-
Fuente**
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Agenda March 27, 2018 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilman Paul B. Hernandez

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

PRESENTATIONS

- Mayor Hernandez proclaims the month of April as Fair Housing Month. (GRANTS & HUMAN SERVICES DEPT.)

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- The proposed expense amount for Consent Item F has been corrected.

2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on March 13, 2018. (OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has successfully provided these services at a number of large events for the City over the past several years and have provided the City with the best pricing for amusement rides, and increase Purchase Order No. 2018-959, issued to The Celebration Source Inc, to provide rides, operators and other equipment necessary for Eggstravaganza and other city events, by an additional amount of \$12,000, for a new total cumulative amount not to exceed \$23,000. (COMMUNICATION AND SPECIAL EVENT DEPT.)
- C. Request permission to reject Hialeah Invitation to Bid No. 2017/18-3230-00-004 – *Walker Park - Painting and Waterproofing*, because two of the bids that were submitted exceed the City's budget for the scope of work and one bid was not considered responsible, and further request permission to allow the Construction and Maintenance Department to obtain quotations for this phase of the project. (CONSTRUCTION AND MAINTENANCE DEPT.)
- D. Request permission to reject Hialeah Invitation to Bid No. 2017/18-3230-00-003 – *Walker Park - Selective Demolition and Stucco*, because the bids that were submitted exceed the City's budget for the scope of work, and further request permission to allow the Construction and Maintenance Department to obtain quotations for this phase of the project. (CONSTRUCTION AND MAINTENANCE DEPT.)
- E. Proposed resolution approving a second amendment to the State Housing Initiative Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for fiscal years 2016-2017, 2017-2018, 2018-2019, to revise the existing Owner Occupied

Rehabilitation Strategy, and add a new Affordable Housing Rental Preservation Strategy to the amended Local Housing Assistance Plan (LHAP); authorizing the submission of the second amendment to the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; and providing an effective date. (GRANTS AND HUMAN SERVICES DEPT.)

- F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Pavement Corp., vendor providing the lowest quotation, for the restriping of West 53rd Street to West 56th Street between Palm Avenue and West 4th Avenue, in a total cumulative amount not to exceed \$4,510. (STREETS)
- G. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the Intergovernmental Cooperation Agreement by and among the Miami-Dade County Property Appraiser, the Miami-Dade County Tax Collector, and the City of Hialeah, commencing on the date signed by the parties, a copy of which is attached to this resolution as Exhibit “1” and providing for an effective date. (ADMINISTRATION)

3. ADMINISTRATIVE ITEMS

- 3A. Second reading and public hearing of proposed ordinance amending Chapter 2 entitled “Administration” of the Code of Ordinances, Article V. entitled “Finance”, Division 2. entitled “Fees and Charges”, and in particular amending Section 2-871 “Duplication and Certification of Public Documents” to provide for deposit requirements when the estimated cost of production exceed \$25.00, providing for time of payment; requiring payment of all past due fees prior to complying with subsequent requests; and to provide length of time copies will be kept after request is fulfilled; repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

Item was approved by the City Council on first reading on March 13, 2018.

4. BOARD APPOINTMENTS

- 4A. Proposed resolution reappointing **Stephen C. Dielmann** to the Personnel Board of the City of Hialeah, as the American Federation of State, County and Municipal Employees (AFSCME) appointment, for a two (2)-year term ending on June 26, 2020. (AFSCME)

5. UNFINISHED BUSINESS

6. NEW BUSINESS

7. COMMENTS AND QUESTIONS

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. First reading of proposed ordinance rezoning Lot 6 from R-1 (One Family District) to R-2 (One and Two-Family Residential District); granting a variance to allow a duplex on Lot 6, a substandard lot, with width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; allow a 5.1 foot side setback, where 7.5 feet are required; allow 20 feet rear setback, where 25 feet are required; allow 43.20% lot coverage, where 30% is the maximum allowed; and granting a variance permit to allow for an existing single family to remain on substandard Lot 7, with a width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; all contra to Hialeah Code of Ordinances §§ 98-499, 98-544, 98-546, 98-547(a), and 98-2056(b)(2). Property located at **4811 East 9th Lane, Hialeah**. Zoned R-1 (One-Family District).
(Applicant: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL)

<i>Item was approved as amended by the Planning and Zoning Board on March 14, 2018.</i>
<i>Registered Lobbyist: Albert Gonzalez, 16400 NW 59 Avenue, Miami Lakes, Florida.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owner of the Property: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL 33013.</i>

PZ 2. First reading of proposed ordinance granting a variance permit to allow the redevelopment of the property with a 145 unit, 5 story apartment building with 93 units (64.13%) having less than 850 square feet, where 131 units (90%) are required with 850 square feet; and allow residential uses at the ground level, where residential uses are allowed only above ground level; allow a building frontage of 62% at the base of the building, where 100% is required; allow a front setback for the middle of the building of 10 feet, where 22 feet is the minimum required; allow front setback for the cap of the building of 10 feet, where 34 feet is the minimum required; and allow 287 parking spaces, where 327 parking spaces are required. Zoned M-1 (Industrial District), located within the Neighborhood Business District gateways; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(d) and e (1), and 2189 (16) a. Property located at **1050 East 9th Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; and providing for an effective date.

<i>Item was approved with conditions by the Planning and Zoning Board on March 14, 2018.</i>
<i>Planner's Recommendation: Approve with Conditions.</i>
<i>Owners of the Property: Lucky 62, LLC, 13105 NW 42 Avenue, Opa Locka, FL 33054 Brian Holland</i>

FINAL DECISION

FD 1. Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida, approving the final decision of the Planning and Zoning Board, decision no. 2018-01 that granted an adjustment on the property located at **292 West 18 Street, Hialeah, Florida;** and providing for an effective date. (*Applicant: Horsebit Developments 3, LLC*)

<i>Item was approved by the Planning and Zoning Board on February 28, 2018.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq. of Alejandro Vilarello, PA, 16400 NW 59 Avenue, Miami Lakes, Florida 33014.</i>
<i>Planner's Recommendation: Approved.</i>
<i>Owner of the Property: Horsebit Developments 3 LLC, 16400 NW 59 Avenue, Miami Lakes, FL 33014.</i>

NEXT CITY COUNCIL MEETING: Tuesday, April 10, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 22, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).